

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Jamel Alexander Demorcy, #270803,

) C/A No.: 2:10-2078-JFA-RSC

)

Plaintiff,

)

)

vs.

)

)

Order

Warden McKie Bernard; Lt/Capteen W. Davis;

)

Investigator Smith T; Classification Ms. Loftin;

)

Mental Health Williams; Social Warden T. Smith;

)

Director John Ozmint; Gisell Demorcy Mother;

)

Nicole Gibbs,

)

)

Defendant(s).

This matter is before the court because of the plaintiff's failure to respond to the Court's order entered on September 22, 2010.

A review of the record indicates that the Magistrate Judge ordered the plaintiff to submit items needed to render the above-captioned case into proper form within twenty-one days, plus three days for mail time, and that if he failed to do so, his case would be dismissed *without prejudice*. The Magistrate Judge's order was sent to the last known address of the plaintiff. The plaintiff has failed to provide the Court with the necessary documents and his time to do so has expired. Accordingly, the above-captioned case must be dismissed *without prejudice* pursuant to FRCP 41.¹ The Clerk of Court shall close this case.

IT IS SO ORDERED.

November 22, 2010
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge

¹ See General Order, *In Re: Procedures in Civil Actions Filed by Prisoner Pro Se Litigants*, 3:07-mc-5014-JFA (D.S.C. Sept. 18, 2007) (dismissal *without prejudice* does not count as a "strike" for purposes of the "three strikes" provision of 28 U.S.C. § 1915(g)). If the plaintiff wishes to bring this action in the future, he should obtain new forms for doing so from the Clerk's Office.